

Effective 5/14/2019

Renumbered 5/3/2023

62A-5b-106 Interference with rights provided in this chapter -- Misrepresentation of rights under this chapter.

- (1) Any individual, or agent of any individual, who denies or interferes with the rights provided in this chapter is guilty of a class C misdemeanor.
- (2) An individual is guilty of a class C misdemeanor if:
 - (a) the individual intentionally and knowingly falsely represents to another person that an animal is a service animal or a support animal;
 - (b) the individual knowingly and intentionally misrepresents a material fact to a health care provider for the purpose of obtaining documentation from the health care provider necessary to designate an animal as a service animal or a support animal; or
 - (c) the individual, except for an individual with a disability, uses an animal to gain treatment or benefits only provided for an individual with a disability.
- (3) This section does not affect the enforceability of any criminal law, including Subsection 76-6-501(2).
- (4) An agent of a protection and advocacy agency, acting in the agent's professional capacity and in compliance with 29 U.S.C. Sec. 794e et seq., 42 U.S.C. Sec. 15041 et seq., and 42 U.S.C. Sec. 1801 et seq., is not criminally liable under Subsection (2).